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FEB 13 2006
U.S. MAGISTRATE JUDGE

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA, : Case No. N-06-5711
: :
Plaintiff, : :
: : COMPLAINT
vs. : :
: :
: :
JEFFREY KURT ASHDOWN, : VIO:18 U.S.C. § 2422(b)
: [Coercion and Enticement For Illegal
Defendant : Sexual Activity];

Before Honorable David Nuffer, United States Magistrate Judge for the District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT I
(18 U.S.C. § 2422(b))
(Coercion and Enticement)

On or about February 9-10, 2006, in the Central Division of the District of Utah,

JEFFREY KURT ASHDOWN,

the defendant herein, did knowingly and intentionally, by means of a facility of interstate

commerce, persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, or attempted to so persuade, induce, entice, and coerce; all violation of Title 18, United States Code, Section 2422(b).

STATEMENT OF FACTS

I, Petra Butler, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed since 1995. I also was employed for five years with the Secret Service. I am currently assigned to the Provo Resident Agency.
2. I am currently assigned to the Utah County Sex Crimes Task Force. My training includes attendance at the Innocent Images On-Line Investigation Course as well as Various crimes against children investigative courses. In the course of my employment, I have investigated numerous cases involving coercion and enticement.
3. This affidavit is made in support of a criminal complaint charging JEFFREY KURT ASHDOWN with attempting to persuade, induce, entice and coerce an individual who had not attained the age of 18 years, to engage in sexual activity in violation of 18 U.S.C. § 2422(b).
4. The information set forth below has come from either personal investigation or has been related to me personally by other law enforcement officers associated with this investigation.

5. Your affiant knows that on February 9, 2006, law enforcement working in an undercover capacity, entered a Yahoo! chatroom using the persona of a 13 year old girl and a screen name "brittany84043" This screen name was contacted via Yahoo! Instant Messenger by an individual using the screen name, "kurtfun." After arrest Ashdown admitted to using the screen name "kurtfun" on February 9, 2006.

6. At the start of the chat "brittany84043" told Ashdown she was "almost 14" in response to his questions about her age. Initially, Ashdown responded indicating he was 38 years old.

7. Shortly after the chat started, Ashdown sent "brittany84043" a webcam image of his penis. He then asked if she would "suck on it." The conversation continued at Ashdown expressed concerns that sexual contact with "brittany84043" would result in criminal charges.

8. Ashdown then suggested that the meet, and a meeting was arranged for the next day. A meeting was arranged at a grocery store in Lehi, Utah. Ashdown agreed he would wear a condom. He then asked if she was "ready to have sex" and requested she not wear underwear at the time of the meeting. It was discussed they would have sexual relations in Ashdown's vehicle. He also inquired if she would give him oral sex when they met.

9. Because the meeting was arranged for the next day, law enforcement were able to trace the IP address used for chat to an individual Jeffrey Kurth Ashdown residing in Pleasant Grove, Utah. From the state motor vehicle registry they learned that Ashdown

owned a Dodge Ram 1500 vehicle and Ashdown's DMV photograph. Officers arrived at the grocery storer at the designated meeting time observed a male individual sitting in a Dodge Ram 1500 that appeared to match the image of Jeffrey Ashdown. Law enforcement approached the vehicle and Ashdown asked, "what is this about." Officers recovered condoms from Ashdown.

11. Ashdown was arrested, and taken back to the station and read *Miranda* rights. Ashdown admitted he had used the screen name "kurtfun" when chatting with "brittany84043." He initialed all pages of the chat indicating that represented the chat that had occurred with "brittany84043." He also initialed the screen captures of his penis. Ashdown stated he did not intend to participate in sexual activity with "brittany84043" if they met. He signed a consent for law enforcement to take his computer.

12. Ashdown was not immediately informed that "brittany84043" was not a real girl. Instead he was asked if he wanted to apologize to her parents for his conduct. Ashdown wrote a letter apologizing for his conduct.

13. I know from experience that Yahoo! is located in Sunnyvale, California and that any transmission from a person using Yahoo! is relayed to and from California. Because defendant and your affiant were using Yahoo! to communicate, the sexually explicit communications traveled in interstate commerce.

14. The defendant, Aaron Anthony Heaton, attempted to meet the 13 year-old female in Lehi, Utah for purpose of conducting illegal sexual behavior, which act, if

completed would constitute a criminal offense under Utah law. Your affiant submits there
is probable cause to believe that ~~Heaton~~^{ASHDOWN} violated 18 U.S.C. § 2422(b), Coercion and
Enticement for Illegal Sexual Activity.

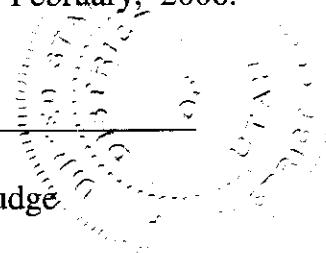


Special Agent Petra Butler
Federal Bureau of Investigations

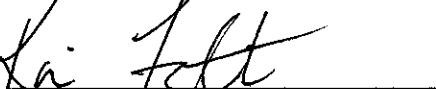
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13 DAY OF February, 2006.



Hon. David Nuffer
United States Magistrate Judge



APPROVED: PAUL WARNER



KARIN FOJTIK
Assistant United States Attorney